



# Whistleblowing Policy

<b>Agreed by Staff:</b>	<b>November 2019</b>
<b>Agreed by Governors:</b>	<b>November 2022</b>
<b>Next Review:</b>	<b>November 2023</b>

## Navex Global

While concerns will usually be raised internally, Surrey County Council recognises that staff may feel unable to do this, and that they may wish to contact an independent, external organisation, such as Navex Global, in order to report something. Navex Global is an external and independent organisation which specialises in providing a confidential hotline service for whistleblowing and can be contacted any time, night or day, in complete confidence with any relevant concerns. The call will not be traced or monitored. Freephone: 0800 069 8180.

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**Online :** [https://secure.ethicspoint.eu/domain/en/report\\_company.asp](https://secure.ethicspoint.eu/domain/en/report_company.asp)

## 1. Introduction & Purpose of Policy

St John's C of E Infant School is committed to the highest possible standards of honesty, openness, probity and accountability. It seeks to conduct its affairs in a responsible manner, to ensure that all its activities are openly and effectively managed, and that the School's integrity and the principles of public interest disclosure are sustained.

In line with that commitment, all members of staff and those working on behalf of the School who have serious concerns about any aspect of the School's work are encouraged to come forward and voice those concerns to their immediate manager and/or the Headteacher. Staff not only have the right but also a duty to report any improper actions or omissions, particularly where the welfare of young people may be at risk. Where any member of staff decides to report a serious incident within the scope of this policy, whether anonymously or otherwise, this will be treated as a 'protected' disclosure. Staff members should feel reassured that they can raise concerns in accordance with this policy without fear of victimisation, subsequent discrimination or disadvantage. All staff employed in schools maintained by Surrey County Council have access to an external, independent and confidential service provided by Navex Global (see contact details).

This policy aims to:

- Encourage staff to feel confident in raising serious concerns and to question and act upon concerns about practice;
- Provide avenues to raise those concerns and receive feedback on any action taken;
- Ensure that staff receive a response to their concerns and that they are aware of how to pursue them if they are not satisfied;
- Reassure staff that they will be protected from possible reprisals or victimisation if they have made any disclosure in good faith.

The Governing Body is mindful of its obligations under the Equality Act 2010 and this policy will be applied fairly and consistently to all staff employed at the school as well as those carrying out work for the School, for example, governors, volunteers, agency workers, contractors or consultants. The term 'member(s) of staff' is used in this document for simplicity but is intended to include this broader range of individuals covered by this policy. Copies of this policy, which incorporates the key aspects of Surrey County Council's whistle blowing policy, are available to all members of staff in their school safeguarding folder.

## **2. Scope of the Policy**

There are existing procedures in place to enable employees to lodge a grievance relating to their own employment. The whistle blowing policy is intended to cover serious concerns that may fall outside the scope of other procedures, in accordance with the Public Interest Disclosure Act 1998. These include:

- Conduct which is an offence or a breach of law
- Failure to comply with a legal obligation
- Disclosures related to miscarriages of justice
- Health and safety risks, including risks to the public or pupils as well as other staff
- Damage to the environment
- Information relating to the above issues that has been, or is likely to be, deliberately concealed.

Examples of the above categories are likely to include:

- The unauthorised use or misuse of public funds
- Possible fraud and corruption
- Sexual, physical or psychological abuse of pupils at the school
- Harassment & bullying of staff
- Breaches of codes of conduct
- Malpractice in examinations and assessments.

Therefore any serious concerns that a member of staff has about any aspect of the School's service provision or the conduct of staff or others connected with the School can be reported under this whistle blowing policy where that member of staff has a reasonable belief in the validity of those concerns and they relate to one of the specified areas set out above.

A member of staff who makes such a protected disclosure has the right not to be dismissed, subjected to any other detriment, or victimised, because he/she has made a disclosure.

A wrongdoing disclosed under the policy should be in the public interest, this means it affects others. There are existing procedures in place to enable employees to lodge concerns relating to their own employment

## **3. Links with other policies**

In investigating financial irregularities, this policy should be read in conjunction with the Strategy against Fraud & Corruption which sets out how the financial irregularities should be investigated. This policy does not replace the corporate complaints procedures. As this policy is in addition to the Council's complaints procedures, and other statutory reporting procedures applying to some services, managers are responsible for making service users aware of the existence of these procedures.

## 4. Safeguarding against harassment or victimisation

The Council is committed to good practice and high standards and wants to be supportive of employees. It is recognised that the decision to report a concern can be a difficult one to make. If a member of staff has a reasonable belief that what they are saying is true, they have nothing to fear because they will be doing their duty to their employer and/or those for whom they are providing a service.

The Council will take appropriate action to protect staff when they raise a concern, by supporting the member of staff and consider action under the appropriate procedure against the person or persons responsible for the reported acts, provided the member of staff:

- Discloses the information in good faith
- Believes the concern to be true
- Does not act maliciously or make false allegations
- Does not seek any personal gain.

and provided the allegations relate to one of the categories covered by the scope of the policy.

There are national guidelines to help you as a whistleblower. See the government guidance: <https://www.gov.uk/whistleblowing> .

There is also a whistleblowing charity Protect that has a helpline on 020 3117 2520. This helpline offers independent and confidential advice to those who are unsure whether, or how, to raise a public interest concern.

## 5. Unsubstantiated allegations

If a member of staff makes an allegation in good faith, but it is not confirmed by the investigation, no action will be taken against them. If, however, an allegation is made frivolously, maliciously or for personal gain, disciplinary action may be taken.

## 6. Confidentiality

All concerns will be treated in confidence but at the appropriate time, the whistleblower may be asked to come forward as a witness, and this will be discussed with them.

## 7. Anonymous allegations

This policy encourages staff to put their name to their allegation whenever possible.

Where a concern is raised via the external confidential Navex Global Service, the whistleblower can choose to provide Navex Global with their name and contact details, which will not be passed to the Council without express permission from the individual. This enables Navex Global to ask for further information on the concern, if required.

The Council will take all concerns raised seriously. When carrying out an initial review of a concern, the council will take into account the following factors:

- The seriousness of the issues raised
- The credibility of the concern; and
- The likelihood of confirming the allegation from attributable sources.

## 8. How to raise concerns

There are two ways in which to raise a concern:

1. Staff may raise concerns with their immediate manager or another manager or, if it is believed that such managers are involved, the Headteacher, or the Chair of Governors as appropriate.

Concerns may be raised verbally or in writing. Staff who wish to make a written report are asked to provide the background and history of the concern (including relevant dates)

and the reason why they are particularly concerned about the situation.

The earlier the concern is expressed, the easier it is to take action. In order to assist with the investigation, staff should provide as much detail and supporting evidence as possible. Staff are not expected to prove that an allegation is true, only to have sufficient grounds for concern.

The whistleblower may invite a recognised Trade Union representative or a work colleague to be present during any meetings or interviews in connection with the concerns raised.

2. While concerns will usually be raised internally, the Council recognises that staff may feel unable to do this, and that they may wish to contact an independent, external organisation, such as Navex Global, in order to report something. Navex Global is an external and independent organisation which specialises in providing a confidential hotline service for whistleblowing and can be contacted any time, night or day, in complete confidence with any relevant concerns. The call will not be traced or monitored.

**Freephone: 0800 069 8180.**

## **9.How the council will respond**

The Council will investigate and respond to all concerns raised by staff or service users through any channels including Navex Global and the Contact Centre.

While it is not essential that the concerns be provided in writing, the person receiving the concern will, ensure that a written account of it is made. This will help with the subsequent investigation by facilitating clear record-keeping.

When a concern is raised directly with a Council officer, they should undertake the following actions:

- Take the concern seriously. Consider the concerns fully and objectively
- Recognise that raising a concern can be a difficult experience for employees
- Ensure confidentiality
- Refer to a manager of appropriate seniority, to agree the level at which the concern will be investigated and identify who will take responsibility for co-ordinating the enquiry.

Staff members who are under investigation will not be involved in the investigation process. In schools, this will include Governing Body members.

Advice and guidance on the use of the whistleblowing policy can be obtained from the HR&OD Team, via MyHelpdesk. For Schools, refer to the individual school's arrangements.

## **10.Initial enquiry**

In order to protect the individuals and those accused of misdeeds or possible malpractice, initial enquiries will be made to decide whether an investigation is appropriate and, if so, what form it should take. The overriding principle, which the Council will have in mind, is that of the public interest. If urgent action is required, this will be taken before any investigation is conducted.

The purpose of the initial inquiry is to ascertain if the conduct or behaviour involves a senior manager or a member of staff, so that further enquiries and investigation can be progressed accordingly.

## **11.Preliminary review**

A preliminary review establishes the need to carry out an investigation. Further to the results of the initial enquiry and preliminary review, and at the discretion of senior management, the following steps will then need to be considered:

- Concerns or allegations, which fall within the scope of specific procedures, e.g. child protection or discrimination issues, will normally be referred for consideration under

those procedures

- Where there is any financial impropriety, the concern should be referred to Internal Audit, before taking any other action
- Ensure that matters of a criminal nature are reported to the Police, after consultation with Internal Audit
- Whether the disciplinary or other relevant management policies, procedures and processes of the School need to be applied
- Appointment of an officer to carry out the investigation under these procedures.

## **12. Investigation**

Depending on the nature of concerns, investigation may be carried out under the Disciplinary Policy or the Strategy against Fraud & Corruption.

### **Investigation Timescales**

Within 14 days of a Navex Global report being received, the person who is dealing with the concern that has been raised will respond in writing:

- Acknowledging that the concern has been received
- Supplying information on staff support mechanisms, and
- Advising whether further investigations or action is required and, if not, why not.

A further update will also be provided 28 days after the report was received, advising of additional progress made and the estimated date a final response will be available.

If the whistleblower has chosen to remain anonymous and non-contactable, they will need to contact Navex Global or their original reporting route in order to receive updates.

## **13. Investigation process**

The impartial investigating manager appointed to undertake the investigation will establish the facts of the matter and assess whether the concern has foundation and can be resolved internally. Other people may need to be interviewed to provide further information and/or clarification concerning the issue(s) raised.

It is essential that written records of all interviews be kept throughout the investigation, together with written details of any action taken. The investigation will result in a written report and recommendations for corrective action which will be passed to the manager responsible for deciding whether formal action shall be taken.

Where any meeting is arranged involving an individual member of staff, which can be offsite, a recognised Trade Union representative or a work colleague may also attend. The Council/Governing Body will take steps to minimise any difficulties which may be experienced as a result of raising a concern. For instance, if a member of staff is required to give evidence in criminal or disciplinary proceedings, the Council/Governing Body will arrange for them to receive appropriate procedural and/or legal advice.

A member of staff raising directly with a senior officer a concern will be, subject to legal constraints, advised in writing of the outcome of the investigation and, where appropriate, what action is being taken.

## 14. Monitoring arrangements

The Headteacher in consultation with a Monitoring Officer at Surrey County Council has overall responsibility for the maintenance and operation of this policy. The Headteacher maintains a record of concerns raised and the outcomes (but in a form which does not compromise confidentiality) and will report as necessary to the Surrey County Council.

The Financial regulations state that the Headteacher will ensure that whistle blowing procedures are defined, documented, widely circulated and reviewed at appropriate intervals, in consultation with a Monitoring Officer at Surrey County Council.

The practical aspects of monitoring are to assess whether:

- The policy is being used appropriately
- Concerns are being handled and investigated properly
- There are any discernible patterns of concern across the Council
- The policy has been effective in identifying and deterring malpractice, and
- More needs to be done to raise awareness of the policy.

### Additional Contact Details:

#### Designated Safeguarding Lead

The School's DSL is: Marion Stevens

[head@stjohns-farnham.surrey.sch.uk](mailto:head@stjohns-farnham.surrey.sch.uk)

01428 713216

#### Deputy Designated Safeguarding Lead

The School's DDSL is Sophie Ireland

[sireland@stjohns-farnham.surrey.sch.uk](mailto:sireland@stjohns-farnham.surrey.sch.uk)

01428 713216

#### Area Schools Officer

Telephone:; (SW) 01483 519673 or

#### Area schools Assistant

01483 517835

#### Surrey County Council's Internal Audit Team

Telephone: 020 8541 9299

Email: [internal.audit@surreycc.gov.uk](mailto:internal.audit@surreycc.gov.uk)

#### Babcock 4S

Telephone: 0800 073 4444

## Whistleblowing process flowchart Schools

(to be used alongside the Whistleblowing policy)

